



Regulatory Tracking Summary

26 March – 06 April 2007

This report summarizes United States regulatory items reviewed by the NASA's RRAC PC during the timeframe. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. The minimum suggested follow-up actions are noted with significant items; users should be advised that other follow-up actions may be appropriate for their program or facility.

Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Lead, Sharon Scroggins/MSFC at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

AIM = Architectural and Industrial Maintenance	MACT = Maximum achievable control technology
ANPRM = Advance Notice of Proposed Rulemaking	MR = <i>Maryland Register</i>
BIF = Boiler industrial furnace	MSFC = Marshall Space Flight Center
CAA = Clean Air Act	MSRP = Multi-Species Recovery Plan
CAAWG = Clean Air Act Working Group	NAAQS = National ambient air quality standards
CAIR = Clean Air Interstate Rule	NASA = National Aeronautics and Space Administration
CARB = California Air Resources Board	NEPA = National Environmental Protection Act
CEQ = Council on Environmental Quality	NESHAP = National Emission Standards for Hazardous Air Pollutants
CERCLA = Comprehensive Environmental Response, Compensation, and Liability Act	NOx = Nitrogen oxide
CFC = Chlorofluorocarbon	NPRM = Notice of Proposed Rulemaking
CFR = <i>Code of Federal Regulations</i>	NRC = Nuclear Regulatory Commission
COMAR = <i>Code of Maryland Regulations</i>	NSPS = New source performance standards
CWA = Clean Water Act	NTP = National Toxicology Program
DAPC = Division of Air Pollution Control	OAC = Ohio Administrative Code
DEA = Drug Enforcement Administration	ODS = Ozone depleting substances
DHWM = Division of Hazardous Waste Management	OEPA = Ohio Environmental Protection Agency
DSW = Division of Surface Water	OMB = Office of Management and Budget
EGEE = ethylene glycol monoethyl ether	PFAC = Perfluoroalkyl carboxylates
EGEEA = ethylene glycol monoethyl ether acetate	PFAS = Perfluoroalkyl sulfonates
EO = Executive Order	PHMSA = Pipeline and Hazardous Materials Safety Administration
EPA = U.S. Environmental Protection Agency	PTIO = Permit-to-install and operate
EPCRA = Emergency Planning and Community Right-to-Know Act	QA = Quality Assurance
F.A.C. = Florida Administrative code	RCRA = Resource Conservation and Recovery Act
FAW = Florida Administrative Weekly	RIN = Regulatory Identification Number
FDEP = Florida Department of Environmental Protection	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
FIP = Federal Implementation Plan	SNAP = Significant New Alternatives Policy
FR = <i>Federal Register</i>	SNUR = Significant new use rule
F.S. = Florida Statutes	SSP = Space Shuttle Program
GACT = Generally Available Control Technology	TSCA = Toxic Substances Control Act
GSE = Ground support equipment	UPCF = Unified Program Consolidated Forms
GSFC = Goddard Space Flight Center	VCSB = Voluntary Consensus Standard Bodies
HAP = Hazardous air pollutant	VOC = Volatile organic compound
HCFC = Hydrochlorofluorocarbon	
IRIS = Integrated Risk Information System	
JCARR = Joint Committee on Agency Rule Review	
KSC = Kennedy Space Center	

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts on NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-40	Asbestos	04/02/2007	72 FR 15690	Notice	<p>Release of Brochure on Current Best Practices to Prevent Asbestos Exposure Among Brake and Clutch Repair Workers</p> <p>Announces release of final brochure entitled, "Current Best Practices for Preventing Asbestos Exposure Among Brake and Clutch Repair Workers." The brochure is intended to provide information for automotive professionals and home mechanics on preventing exposure to brake and clutch dust that may contain asbestos fibers. More information on asbestos may be found at: http://www.epa.gov/asbestos/.</p>	
Fed-2007-41	CAA Mobile Sources- Locomotive and Marine Engines	04/03/2007	72 FR 15937	Proposed Rule	<p>Control of Emissions of Air Pollution From Locomotive Engines and Marine Compression-Ignition Engines Less Than 30 Liters per Cylinder [40 CFR Parts 92, 94, 1033, 1039, 1042, 1065 and 1068]</p> <p>Proposes a comprehensive program to reduce emissions from locomotives and marine diesel engines. Would apply new exhaust emission standards and idle reduction requirements to diesel locomotives of all types—line-haul, switch, and passenger. Would also set new exhaust emission standards for all types of marine diesel engines below 30 liters per cylinder displacement, as follows:</p> <ul style="list-style-type: none"> ▪ Near-term emission standards for newly built locomotive engines that would phase in starting in 2009. ▪ More stringent emissions standards for existing locomotives that would apply when the locomotive is remanufactured and would take effect as soon as certified remanufacture systems are available (as early as 2008), but no later than 2010 (2013 for Tier 2 locomotives). ▪ Requests comments on similar requirement for existing marine diesel engines when they are remanufactured. ▪ Long-term emissions standards for newly built locomotives and marine diesel engines that would phase in beginning in 2015 for locomotives and 2014 for marine diesel engines. <p>Comments due 07/02/2007 [RIN_2006-AM06].</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions				
Fed-2007-42	CAA NESHAP - Area Sources	04/04/2007	72 FR 16635	Proposed Rule	<p>National Emission Standards for Hazardous Air Pollutants (NESHAP) for Area Sources: Acrylic and Modacrylic Fibers Production, Carbon Black Production, Chemical Manufacturing: Chromium Compounds, Flexible Polyurethane Foam Production and Fabrication, Lead Acid Battery Manufacturing, and Wood Preserving [40 CFR Part 63]</p> <p>Proposes six NESHAPs regulating seven area source categories. The proposed emissions standards for new and existing sources are based on EPA's proposed determination as to what constitutes the GACT or management practices for each area source category. Comments are due 05/04/2007, unless a public hearing is requested by 04/16/2007. If a hearing is requested, written comments will be due 05/21/2007 [RIN 2060-AN44].</p> <p>In general, area source regulations apply to area sources of HAPs that conduct operations covered under the specified source category. An area source of HAPs is a facility that that emits less than 10 tons of a single HAP or 25 tons of a combination of HAPs annually. The six area source rules in this proposal apply primarily to area source facilities that produce the products or materials listed.</p> <p>One part of this proposal that may be of interest to NASA Programs is that it would establish at 40 CFR Part 63 a new Subpart NNNNNN—<i>National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds</i>. This subpart would apply to area sources engaged in “chromium compounds manufacturing,” which is defined as “any process that uses chromite ore as the basic feedstock to manufacture chromium compounds, primarily sodium dichromate, chromic acid, and chromic oxide.” In the preamble, EPA notes that there are only two plants in this area source category: one in Castle Hayne, North Carolina, and one in Corpus Christi, Texas. The proposed rule would impose control technology requirements on these plants, but would not directly require materials changes.</p> <p>Questions, concerns, or requests for further information or analysis regarding these proposed area source rules may be directed to Sharon Scroggins/MSFC.</p>	NASA Programs should be aware of these proposed area source rules and review for potential supply chain impacts.				
Fed-2007-43	CAA NESHAP - Residual Risk	03/29/2007	72 FR 14734	Advanced Notice of Proposed Rulemaking	<p>Risk and Technology Review, Phase II, Group 2 [40 CFR 63]</p> <p>Requests public comment on HAP emissions and other model input data that EPA intends to use to assess residual risk from selected industrial major source categories. Data include HAP emission estimates and emission release parameters for 22 industrial source categories subject to 12 NESHAPs, listed below.</p> <table><tr><th colspan="2">Industrial Source Category (NESHAP Standard, if different)</th></tr><tr><td><ul style="list-style-type: none">Mineral Wool ProductionAerospace Manufacturing and Rework FacilitiesHypalon™ Production (Group I Polymers and Resins)Polybutadiene Rubber Production (Group I Polymers and Resins)Marine Tank Vessel Loading OperationsMethyl Methacrylate-Acrylonitrile-Butadiene-Styrene Production (Group IV Polymers and</td><td><ul style="list-style-type: none">Epichlorohydrin Elastomers Production (Group I Polymers and Resins)Nitrile Butadiene Rubber Production (Group I Polymers and Resins)Styrene-Butadiene Rubber and Latex Production (Group I Polymers and Resins)Acrylic-Butadiene-Styrene Production (Group IV Polymers and Resins)Methyl Methacrylate-</td></tr></table>	Industrial Source Category (NESHAP Standard, if different)		<ul style="list-style-type: none">Mineral Wool ProductionAerospace Manufacturing and Rework FacilitiesHypalon™ Production (Group I Polymers and Resins)Polybutadiene Rubber Production (Group I Polymers and Resins)Marine Tank Vessel Loading OperationsMethyl Methacrylate-Acrylonitrile-Butadiene-Styrene Production (Group IV Polymers and	<ul style="list-style-type: none">Epichlorohydrin Elastomers Production (Group I Polymers and Resins)Nitrile Butadiene Rubber Production (Group I Polymers and Resins)Styrene-Butadiene Rubber and Latex Production (Group I Polymers and Resins)Acrylic-Butadiene-Styrene Production (Group IV Polymers and Resins)Methyl Methacrylate-	NASA Centers and Programs with activities related to the listed source categories should be aware of this notice and the data review opportunity. Please contact Sharon Scroggins/MSFC with any issues or concerns regarding this notice.
Industrial Source Category (NESHAP Standard, if different)										
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RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
					<p>Resins)</p> <ul style="list-style-type: none"> ▪ Nitrile Resins Production (Group IV Polymers and Resins) ▪ Polystyrene Production (Group IV Polymers and Resins) ▪ Natural Gas Transmission and Storage ▪ Oil and Natural Gas Production ▪ Petroleum Refineries ▪ Pharmaceuticals Production ▪ Shipbuilding and Ship Repair Operations <p>Butadiene-Styrene Production (Group IV Polymers and Resins)</p> <ul style="list-style-type: none"> ▪ Polyethylene Terephthalate Production (Group IV Polymers and Resins) ▪ Styrene-Acrylonitrile Production (Group IV Polymers and Resins) ▪ Primary Aluminum Reduction Plants ▪ Printing and Publishing Industry <p>EPA anticipates using the results of these risk estimates, along with a review of control technology, as the basis for decisions on whether to propose additional standards for each source category. Comments due 05/29/2007 [RIN: 2060-AN85].</p> <p>The RRAC PC has been tracking this rulemaking and is currently reviewing it for potential impacts to NASA Centers and Programs. Programs also should be aware of potential impacts to subtier vendors of mineral wool, Hypalon™, elastomers, and other materials in the listed source categories. See further information under "Significant Actions and Other Developments" below.</p>	
Fed-2007-44	CAA ODS SNAP	03/28/2007	72 FR 14432	Final Rule	<p>Protection of Stratospheric Ozone: Listing of Ozone Depleting Substitutes in Foam Blowing [40 CFR Part 82]</p> <p>Determines that the Class II ODSs HCFC 22 and HCFC 142b are unacceptable for use in the foam sector under the SNAP program. Amends a determination for one category of end-uses and takes the following actions for remaining applications:</p> <ul style="list-style-type: none"> ▪ Finds HCFC 22 and HCFC 142b unacceptable as substitutes for HCFC 141b in commercial refrigeration, sandwich panels, and slabstock and "other" rigid polyurethane foams and removes narrowed use limits previously established in those applications. ▪ Finds HCFC 22 and HCFC 142b unacceptable as substitutes for CFCs in all foam end-uses. ▪ Establishes a grandfathering period to allow existing users of HCFC 22 and HCFC 142b to complete the transition to alternatives (until 03/01/2008, 09/01/2009, or 01/01/2010, depending on foam end-use). <p>Effective date is 05/29/2007 [RIN 2060-AN11].</p>	
Fed-2007-45	CERCLA Denova Superfund Site	03/28/2007	72 FR 14552	Notice	<p>Proposed Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Administrative Agreement for Recovery of Response Costs: Denova Superfund Site</p> <p>Notice of a proposed Agreement for Recovery of Response Costs ("Agreement," Region 9 Docket No. 9-2006-0025) concerning the Denova Superfund Site, (the "Site"), located in Rialto, California. The settling parties are Northrup Grumman, Lockheed Martin, the Boeing Company, Georgia Pacific, BNSF Railway Company, Royal Caribbean Cruises, JBL Inc., the Marquardt Company, Davis Wire Corp., Aerojet-General Corp., the Department of Energy (Lawrence Livermore National Laboratory), the Department of Energy (Sandia National Laboratory), NASA, the Department of the Interior, and the Navy. Agreement compensates EPA and the County of San Bernardino Consolidated Fire District for past response costs related to the removal action taken at the Site and provides for a total recovery of \$1,246,160. Comments due 04/27/2007.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-46	Climate Change Voluntary Greenhouse Gas Reporting Program	04/02/2007	72 FR 15598	Final Rule	Office of Policy and International Affairs, Department of Energy Corrections and Updates to Technical Guidelines for Voluntary Greenhouse Gas Reporting [10 CFR Part 300] Adopts as final without change an interim final rule published on 01/31/2007 (72 FR 4411) to correct, update, and make clarifying changes to Technical Guidelines used for reporting under the Voluntary Reporting of Greenhouse Gases Program. The revised Technical Guidelines are available on the web at: http://www.ei.energy.gov/enhancingGHGRegistry/ . Changes include the following: <ul style="list-style-type: none"> ▪ Elimination of inconsistencies ▪ Updated references ▪ Clarifications of intent ▪ Modification or elimination of inappropriate calculation methods The interim final rule changes the date of the Technical Guidelines incorporated by reference in 10 CFR 300.13 from March 2006 to January 2007. The interim final rule was effective 03/02/2007; confirmed as final 04/02/2007 [RIN 1901-AB23].	
Fed-2007-47	CWA Analytical Methods for Biological Pollutants	03/26/2007	72 FR 14220	Final Rule	Guidelines Establishing Test Procedures for the Analysis of Pollutants; Analytical Methods for Biological Pollutants in Wastewater and Sewage Sludge: Final Rule [40 CFR Parts 136 and 503] Modifies EPA guidelines that establish approved bacterial testing procedures for analysis and sampling under CWA. Includes approval for new methods for monitoring microbial pollutants in wastewater and sewage sludge, including EPA methods, vendor-developed methods, and methods developed by VCSBs, as well as updated versions of currently approved methods. Also includes a technical correction. Effective 04/25/2007; incorporation by reference approved 04/25/2007; approved for judicial review purposes 04/09/2007 [RIN 2040-AE68].	
Fed-2007-48	Commercial Space Transportation Experimental Permits	04/06/2007	72 FR 17001	Final Rule	Federal Aviation Administration Experimental Permits for Reusable Suborbital Rockets [14 CFR Parts 401, 404, 405, 406, 413, 415, 420, 431, and 437] Amends commercial space transportation regulations. Establishes application requirements for an operator of a manned or unmanned reusable suborbital rocket to obtain an experimental permit. Establishes operating requirements and restrictions on launch and reentry of reusable suborbital rockets operated under a permit. Effective 06/05/2007 [RIN 2120-AI56].	
Fed-2007-49	Hazardous Materials Batteries	03/26/2007	72 FR 14167	Safety Advisory	PHMSA, Department of Transportation Advisory Guidance; Transportation of Batteries and Battery-powered Devices by Airline Passengers and Crew Members Advisory regarding proper packing and handling of batteries and battery-powered devices when they are carried aboard aircraft. Federal regulations require that electrical storage batteries or battery-powered devices carried aboard passenger aircraft be properly packaged or protected to avoid short-circuiting or overheating. This advisory lists various measures for complying with the regulations and minimizing transportation risks [Notice No. 07-02].	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-50	Hazardous Materials Polyurethane Foams	03/30/2007	72 FR 15184	Notice	PHMSA, Department of Transportation Receipt of Petition for Rulemaking Classification of Polyurethane Foam and Certain Finished Products Containing Polyurethane Foam as Hazardous Materials The PHMSA has received a petition from the National Association of State Fire Marshals requesting that polyurethane foam and certain finished products containing polyurethane foam be classified as hazardous materials in transportation in commerce. Comments due 06/28/2007. Such a change of classification could possibly affect shipping or storage requirements for products incorporating polyurethane foams.	
Fed-2007-51	IRIS Nitrobenzene	03/29/2007	72 FR 14808	Notice	Draft Toxicological Review of Nitrobenzene Announces an external peer-review workshop to review the external review draft document titled, "Toxicological Review of Nitrobenzene: In Support of Summary Information in the Integrated Risk Information System (IRIS)." Draft document and EPA's peer-review charge are available on the National Center for Environmental Assessment's home page under the Recent Additions and the Publications menu. Peer-review workshop 05/15/2007. Comments due 04/30/2007.	
Fed-2007-52	Migratory Bird Act Removal of Migratory Birds from Buildings	03/26/2007	72 FR 14066	Proposed Rule	Fish and Wildlife Service, Department of the Interior Migratory Bird Permits; Removal of Migratory Birds from Buildings [50 CFR Part 21] Proposes to amend regulations governing migratory bird permitting to allow removal of migratory birds (other than federally listed threatened or endangered species, bald eagles, and golden eagles) from buildings in which the birds may pose a threat to themselves, to public health and safety, or to commercial interests without requiring a permit. Comments are due 05/25/2007 [RIN 1018-AV10].	
Fed-2007-53	NEPA	03/26/2007	72 FR 14103	Notice	Council On Environmental Quality The NEPA–Collaboration Handbook Invites comments on the proposed handbook, "Collaboration in NEPA–A Handbook for NEPA Practitioners" (available at http://www.NEPA.gov in the Current Developments section). The handbook was developed to assist those responsible for conducting NEPA analyses in expanding the effective use of collaboration as part of the NEPA process. Collaboration is defined for purposes of the handbook as seeking agreements at one or more stages of the NEPA process by cultivating shared vision, trust, and communication. The handbook focuses on collaboration in the context of the NEPA process, outlines general principles, presents useful steps, and provides information on methods of collaboration. Comments are due 05/04/2007.	
Fed-2007-54	Nuclear	03/30/2007	72 FR 15173	Notice	NRC Interim Regulatory Guide: Issuance, Availability Interim revision to an existing guide entitled, "Quality Assurance for Radiological Monitoring Programs (Inception Through Normal Operations to License Termination)--Effluent Streams and the Environment." Describes a method acceptable for use in designing and implementing programs to ensure the quality of the results of measurements of radioactive materials in the effluents from, and environment outside of, facilities that process, use, or store radioactive materials during all phases of the facility's life cycle. Presents draft positions on a method for designing and implementing QA programs for use by all applicants and licensees subject to the NRC's QA requirements. Regulatory guides are available at: http://www.nrc.gov/reading-rm/doc-collections/reg-guides/ . Comments due 05/29/2007.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-55	RCRA Hazardous Waste	03/26/2007	72 FR 14171	Proposed Rule	<p>Revisions to the Definition of Solid Waste [40 CFR Parts 260 and 261]</p> <p>Proposes to revise the definition of solid waste to exclude certain hazardous secondary materials from regulation under Subtitle C of RCRA. Also solicits comments on regulatory factors to be used to determine whether recycling of hazardous secondary materials is legitimate. Comments are due 05/25/2007 [RIN 2050-AG31].</p> <p>The RRAC PC summarized this proposal in the Regulatory Tracking Summary for 03/12/2007 through 03/23/2007. A more detailed regulatory summary is available on request.</p>	<p>NASA Centers should review the RRAC summary or the proposed rule and the topics for which comments are requested to:</p> <ol style="list-style-type: none"> 1) evaluate the potential impact of re-classifying waste streams in the future; and 2) evaluate if comments should be submitted on items that would affect Center operations.
Fed-2007-56	TSCA Mercury	03/29/2007	72 FR 14805	Notice	<p>Commodity-Grade Mercury: Notice of Stakeholder Panel Process, Notice of Public Meeting, and Solicitation of Public Comment</p> <p>EPA is establishing a stakeholder panel process to provide approaches for management of non-federal supplies of commodity-grade mercury. Comments are solicited regarding the issues the panel will address. The stakeholder panel will hold a series of meetings, the first of which is scheduled for 05/08/2007, from 9 a.m. to 5 p.m., in Washington, DC. The dates of future meetings and additional information may be found at http://www.epa.gov/mercury/roadmap.htm.</p> <p>Recommendations resulting from this panel process on elemental mercury could eventually result in changes to transportation, storage, and other regulations. Please identify any Center or Program requirements for elemental mercury to the RRAC PC to facilitate tracking of this issue.</p>	<p>NASA Centers and Programs requiring the use of elemental mercury should be aware of this panel process and identify existing or future elemental mercury requirements to the RRAC PC.</p>

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-57	TSCA SNUR	03/29/2007	72 FR 14681	Direct Final Rule	<p>Significant New Use Rules on Certain Chemical Substances and Notification on Certain Substances for Which Significant New Use Rules are Not Being Issued [40 CFR Part 721]</p> <p>Promulgates SNURs for 65 chemical substances that were the subject of pre-manufacture notices (see the rule for further information). Requires persons who intend to manufacture, import, or process any of these 65 chemical substances for an activity that is designated as a significant new use by this rule to notify EPA at least 90 days before commencing that activity. Also provides notification on two substances for which EPA has decided not to issue SNURs at this time. Comments due 04/30/2007. Effective 05/29/2007 if no adverse comments are received. Promulgated for purposes of judicial review on 04/12/2007 [RIN 2070-AB27].</p>	
Fed-2007-58	Toxicology	03/29/2007	72 FR 14816	Notice	<p>NTP; Office of Chemical Nomination and Selection; National Institute of Environmental Health Sciences; National Institutes of Health</p> <p>Announcement of and Request for Public Comment on Toxicological Study Nominations to the NTP</p> <p>This notice: 1) Provides brief background information and preliminary study recommendations regarding nine nominations for study by the NTP; 2) solicits public comment on the nominations and study recommendations; and 3) requests the submission of additional relevant information for consideration by the NTP in its continued review of these nominations. An electronic copy of this announcement, supporting documents for each nomination, and further information about the NTP and the NTP Study Nomination and Review Process is at: http://ntp.niehs.nih.gov; select "Nominations to the Testing Program." Comments or information should be submitted by 05/10/2007.</p> <p>Among the nine nominations listed by the NTP in this notice are asbestos and nanoscale gold and silver. These types of studies may influence future regulations.</p>	

1.2 Discussion of Significant Actions and Other Developments

1.2.1 EPA Seeks Data Review to Assess Remaining Air Toxics Risks from 22 Industry Sectors

EPA is soliciting public comment on data the agency intends to use in analyzing risks from HAPs emitted from the 22 industrial sectors listed in Exhibit 1. These analyses are required by the CAA as part of the process to assess the risks remaining after these industrial sectors have complied with earlier technology-based emission standards.

EXHIBIT 1

22 Industrial Sectors

Mineral Wool Production

Aerospace Manufacturing and Rework

Facilities

Marine Tank Vessel Loading Operations

Natural Gas Transmission and Storage

Oil and Natural Gas Production

Petroleum Refineries

EXHIBIT 1
22 Industrial Sectors

Pharmaceuticals Production	
Group 1 Polymers and Resins	Epichlorohydrin Elastomers Production
	Hypalon™ Production
	Nitrile Butadiene Rubber Production
	Polybutadiene Rubber Production
	Styrene-Butadiene Rubber and Latex Production
Group IV Polymers and Resins	Acrylic-Butadiene-Styrene Production
	Methyl Methacrylate-Acrylonitrile-Butadiene-Styrene Production
	Methyl Methacrylate-Butadiene-Styrene Production
	Nitrile Resins Production
	Polyethylene Terephthalate Production
	Polystyrene Production
	Styrene-Acrylonitrile Production
Primary Aluminum Reduction Plants	
Printing and Publishing Industry	
Shipbuilding and Ship Repair Operations	

EPA will use the data to conduct risk analyses and perform a technology review to determine if additional standards are needed to address remaining risks from the 22 sectors. EPA is requesting comments regarding HAP emissions estimates, data, and other information. Following a review of comments received, EPA plans to update the data, as appropriate, and to estimate remaining risks. Additional information can be found at:

http://www.epa.gov/ttn/oarpg/t3/fact_sheets/RTRpshIIanpr.html.

1.2.2 Executive Order 13423 Guidance Published

On 26 January 2007, EO 13423: Strengthening Federal Environmental, Energy, and Transportation Management was published ([72 FR 3917](#)). This EO supersedes five prior EOs and includes requirements for vehicles, petroleum conservation, alternative fuel use, energy efficiency, greenhouse gases, renewable power, building performance, water conservation, procurement, pollution prevention, electronics management, and environmental management systems.

On 29 March 2007, the CEQ published guidance for federal agency implementation of EO 13423. The purpose of these instructions is to define federal agency requirements for implementing the EO and to define broad strategies for achieving those requirements. The expectations laid out in the guidance document are mandatory for federal agencies and provide more detail regarding the specific tasks and milestones required for successfully meeting the goals of the EO. Notably, the guidance states that federal facilities must continue EPCRA reporting.

Additional instructions and guidance will be issued by the CEQ as needed in the future to further facilitate meeting these goals. It is also expected that over time this guidance document will be

updated to reflect new practices or technologies as appropriate. NASA Headquarters also may issue agency-specific guidance for implementing the requirements of the EO. Additional information can be found at:

http://www.fedcenter.gov/_kd/Items/actions.cfm?action=Show&item_id=6825&destination=ShowItem.

1.2.3 Supreme Court Rules that EPA has Authority to Regulate Greenhouse Gases

The U.S. Supreme Court, in a 5 to 4 decision on 2 April 2007, ruled that EPA has authority under the CAA to regulate carbon dioxide and other greenhouse gases from new motor vehicles ([Massachusetts v. EPA, U.S., No. 05-1120, 63 Electronics Records Committee \[ERC\] 2057, 04/02/2007](#)). The decision reverses and remands a ruling by the U.S. Court of Appeals for the District of Columbia Circuit, which held in 2005 that EPA had not violated the CAA in refusing to regulate greenhouse gas emissions (*Massachusetts v. EPA*, 415 F.3d 50, 60 ERC 1641 (D.C. Cir. 2005); 36 ER 1501, 07/22/05).

The decision may give momentum to efforts in Congress to mandate national standards that would require cleaner cars and power plants. The Court ruled that, to avoid regulating greenhouse gas emissions, EPA must prove that greenhouse gases do not cause global warming or develop alternative, statute-based justification.

1.2.4 Earth Day–22 April 2007

Earth Day began on 22 April 1970 and serves as an international call to action around the world to celebrate the earth and to renew public commitments to building a safer, healthier, and cleaner world. Resources such as the [Earth Day Network](#) provide an events clearinghouse and planning [tools](#) for those interested in participating in or leading local Earth Day events.

1.3 Status of Selected Continuing Actions in Progress

This section illustrates the status of selected actions the RRAC PC is actively tracking. Imminent actions are shown in red text. Questions about any of these actions or suggestions for additions to this list should be directed to Sharon Scroggins/MSFC.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM Final Action	08/2007	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to Ground Operations.
	08/2008			Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.
NPRM Final Action	09/2007	ODS: Continued Use of ODS in Mission-Critical Applications	Pre-rule	Space vehicle operational impacts.
	01/2009			NASA is currently in discussions with EPA regarding options to enable future use of relatively small quantities of ODS for mission-critical applications. Latest discussions suggest that future production of ODS will require the certified destruction of other, existing ODS (contaminated, etc.) with an offset of approximately 15%.
ANPRM	03/29/2007	NESHAP: Risk and Technology Review, Phase II [2060-AN85]	Pre-rule	Possible space vehicle operational or materials impacts.
NPRM	06/2007			Evaluation of residual risk remaining after implementation of numerous NESHAPs, including those regulating the Aerospace and Chrome Electroplating source categories. This rulemaking represents a relatively low risk of EPA imposing limits on HAP and VOC levels contained in coatings, cleaning solvents, and other materials used on flight hardware. Potential further restrictions on the chrome electroplating or other source categories also could affect vendor facilities.
Final Action	06/2008			
NPRM Final Action	TBD	Area Sources: Surface Coating and Paint Stripping [2060-AN21]	Pre-rule	Possible space vehicle operational or materials impacts.
				EPA has merged three area source categories into one standard: Autobody Refinishing; Plastic Parts and Products Surface Coating; and Paint Stripping. The resulting standard will regulate certain surface coating, cleaning and paint stripping operations at area sources of HAPs, potentially including some space vehicle operations. For NASA, KSC and MSFC are major sources of HAPs. Other NASA Centers that have HAP emissions would be considered as area sources.
NPRM Final Action	01/03/2007	NESHAP General Provisions—Once In, Always In [2060-AM75]	Proposed Rule	Possible impacts to facilities, including space flight support facilities.
	12/2007			KSC and MSFC currently are major sources of HAPs; MAF recently attained “synthetic minor” status. As proposed, this rule potentially could allow MAF to be considered an area source, no longer subject to any NESHAP requirements for major sources. However, this rule also will require any facility switching from major source to area source status to comply with any applicable area source regulations.
NPRM Final Action	03/07/2006	SNUR: Perfluorinated Polymers [2070-AD58]	Proposed Rule	Possible space vehicle materials impacts.
	12/2007			Rule would require manufacturers to notify EPA of any new materials or significant uses of perfluorinated polymers including those containing PFASs; PFACs; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.
NPRM Final Action	03/10/2006	SNUR: Perfluoroalkyl Sulfonates [2070-AJ18]	Proposed Rule	Possible space vehicle materials impacts.
	05/2007			Rule would limit or eliminate uses of PFAS, a family of chemicals used as additives, waterproofing agents, etc. The rule effectively would allow the use of PFAS chemicals only as components of aviation hydraulic fluids; photoresist substances; anti-reflective coatings; coatings for surface tension, static discharge, and adhesion control related to imaging applications; or as a chemical intermediate. SSP Orbiter tile waterproofing materials previously incorporated a PFAS additive, but it has been replaced. It is unknown whether regulating additional PFAS-related chemicals would affect other operational materials.
NPRM Final Action	08/11/2006	DEA: Iodine [1117-AA93]	Proposed Rule	Possible space vehicle materials impacts.
	04/2007			The DEA is proposing to change the way iodine and its mixtures are regulated due to its uses related to illicit drug manufacturing. The rule would require additional controls and facility licensing for purchase, transport, and storage of iodine and mixtures containing more than 2.2 percent iodine. The space suits and International Space Station use such products for water disinfection and could have supply chain impacts in the future.
OMB received draft final for review on 02/01/2007.				

1.4 Clean Air Act Working Group Updates

1.4.1 Clean Air Act Working Group Telecons for 2007

The CAAWG will hold telecons on the following Wednesdays in 2007 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT:

- 18 April 2007
- 20 June 2007
- 18 July 2007
- 15 August 2007
- 19 September 2007
- 17 October 2007
- 14 November 2007
- 19 December 2007

2.0 State Regulatory Reviews

The following sections provide details of regulatory actions reviewed for each state in which NASA facilities are located.

2.1 Alabama State Regulatory Review

No items of interest were identified during this reporting period for the state of Alabama.

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California.

RRAC PC State Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-16	Air Air Toxics "Hot Spots"	03/20/2007	Air Resources Board Notification	Notice	California Air Resources Board The CARB has posted the 15-Day "Notice of Public Availability of Modified Text for the Public Hearing to Consider Amendments to the AB 2588 Air Toxics 'Hot Spots' Emission Inventory Criteria and Guidelines Regulation." These documents and the associated "formal" regulatory materials can be accessed at: http://www.arb.ca.gov/regact/hotspot06/hotspot06.htm . Comments are due 04/13/2007.	
CA-2007-17	Endangered Species	04/03/2007	50 CFR Part 17	Proposed Rule	Fish and Wildlife Service, Department of the Interior Endangered and Threatened Wildlife and Plants The U.S. Fish and Wildlife Service reopened the public comment period to designate critical habitat for the coastal California gnatcatcher (<i>Poliptila californica californica</i>) and the San Diego fairy shrimp (<i>Branchinecta sandiegonensis</i>). Comments are due by 05/03/2007.	

RRAC PC State Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-18	Safe Drinking Water and Toxic Enforcement Act (Prop 65)	04/05/2007	California Regulatory Notice Register 2007, Volume No. 13-z	Notice	Office of Environmental Health Hazard Assessment Specific Regulatory Level: Chemicals Causing Reproductive Toxicity Office of Environmental Health Hazard Assessment proposes to establish specific regulatory levels having no observable effect for three chemicals–EGEE, EGEEA, and potassium dimethyldithiocarbamate–and to amend Title 22, California Code of Regulations, Section 128051.	NASA facilities and programs may wish to review for applicability.
CA-2007-19	UPCF and Supporting Data Dictionary Changes	03/26/2007	California Regulatory Notice Register 2007 Number 12-Z.	45-Day Public Notice and Comment Period	UPCF and Supporting Data Dictionary Changes The California EPA will conduct a public hearing on the proposed regulation derived from new or modified statutory requirements, streamlining to remove unused information from reports, and aligning the standard data dictionary with current information management standards. These regulations are administrative in nature and do not impose any new regulatory requirements. Scheduled hearing date is 05/11/2007 at 9:00 a.m. in the California EPA headquarters Building, Byron Sher Auditorium, 2 nd Floor, 1001 "I" Street, Sacramento, California.	

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-17	Air General Provisions	04/06/2007	FAW Notice #3892724	Notice Meeting/Workshop	Chapter 62–FDEP 204–Air Pollution Control General Provisions The Division of Air Resource Management announces a hearing on Rule 62-204.800, Federal Regulations Adopted by Reference, F.A.C. The FDEP will hear comments on its proposal to submit to EPA, as a proposed revision to Florida's Section 111(d) state plan for large municipal waste combustors, amendments to Rule 62-204.800, F.A.C. The proposed amendments to Rule 62-204.800, F.A.C., if adopted, incorporate the 05/10/2006 federal changes to the "Emission Guidelines for Large Municipal Waste Combustors." Hearing is scheduled for Friday, 04/27/2007, at 10:00 a.m.; to be held at FDEP, Division of Air Resource Management, 111 South Magnolia Drive, Suite 23, Director's Conference Room, Tallahassee, Florida.	
FL-2007-18	Air General Provisions	04/06/2007	FAW Notice #3910960	Proposed Rule	Chapter 62–FDEP 204–Air Pollution Control General Provisions The proposed rulemaking involves amendments to Rule 62-204.800, F.A.C., to incorporate the 05/10/2006 federal changes to the air pollution regulatory requirements for large municipal waste combustors. EPA regulations at 40 CFR Part 60, Subparts Eb and Cb, are adopted and incorporated by reference, and existing rule language is updated accordingly.	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-19	Air Emission Standards	04/01/2007	FAW Notice #3949469	Final Rule	<p>Chapter 62–FDEP 296–Stationary Sources–Emission Standards</p> <p>State applicability of 40 CFR 96.141-143 Subpart EE, CAIR NO_x Allowance Allocations, and 40 CFR 96.341-342 Subpart EEEE, CAIR NO_x Ozone Season Allowance Allocations, of the CAIR as 62-296.470(3)(d) and 62-296.470(5)(d), respectively, has been modified in lieu of the original text within 40 CFR 96 Subparts EE and EEEE.</p> <ul style="list-style-type: none"> ▪ The number of control periods required for allowance allocation submittals were decreased. ▪ Baseline heat input calculations will now include information between 2004 and the present and also will account for biomass burned during the reporting timeframe. ▪ Calculations will be rounded using a rounding convention that results in the allocation of the precise number of allowances remaining in the new unit set-aside. ▪ A separate compliance pool will be set up for 2009. ▪ Early reduction credit request requirements were increased. <p>Note: CAIR affects any facility in Florida that contains "any stationary, fossil-fuel-fired boiler or stationary, fossil-fuel-fired combustion turbine serving at any time, since the later of November 15, 1990 or the start-up of the unit's combustion chamber, a generator with nameplate capacity of more than 25 MWe producing electricity for sale" (40 CFR 96.104).</p>	
FL-2007-20	Air General Provisions	04/01/2007	FAW Notice # 3998939	Rule Modification	<p>Chapter 62–FDEP 204–Air Pollution Control General Provisions</p> <p>The rule amendments update, through 12/31/2006, the adoption-by-reference of air pollution regulations promulgated by EPA at 40 CFR Parts 52, 60, 63 and 96. SPECIFIC AUTHORITY: 403.8055 FS</p> <ul style="list-style-type: none"> ▪ 40 CFR 60-Standards of Performance for New Stationary Sources, Subpart EEEE, Other Solid Waste Incineration Units <ul style="list-style-type: none"> Technical correction to the emission guidelines and NSPS. ▪ 40 CFR 63-National Emissions Standards for Hazardous Air Pollutants, Subpart IIII, Surface Coating of Automobiles and Light-Duty Trucks: <ul style="list-style-type: none"> Amendments provide the option of including surface coating of heavier motor vehicles. ▪ 40 CFR 63-National Emissions Standards for Hazardous Air Pollutants, Subpart MMMM, Surface Coating of Miscellaneous Metal Parts and Products: <ul style="list-style-type: none"> Amendments to the Miscellaneous Metal Parts NESHAP to allow the coating of metal heavier vehicle bodies, metal body parts for heavier vehicles, and metal parts for heavier vehicles to comply with the Automobiles and Light-Duty Trucks NESHAP in lieu of complying with the Miscellaneous Metal Parts NESHAP. ▪ 40 CFR 63-National Emissions Standards for Hazardous Air Pollutants, Subpart PPPP, Surface Coating of Plastic Parts and Products: <ul style="list-style-type: none"> Amendments to the Plastic Parts NESHAP to allow the coating of heavier plastic vehicle bodies, plastic body parts for heavier vehicles, and plastic parts for heavier vehicles to comply with the Automobiles and Light-Duty Trucks NESHAP in lieu of complying with the Plastic Parts NESHAP. 	KSC should be aware of the rule modifications.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
					<ul style="list-style-type: none"> 40 CFR 63-National Emissions Standards for Hazardous Air Pollutants, Subpart DDDDD, Industrial, Commercial, and Institutional Boilers and Processes: Clarification on the procedures for implementing the emissions averaging provision and conducting compliance testing when boilers are vented to a common stack. Also clarifies several definitions to help affected sources classify "limited use" and "hybrid" boilers, along with other technical corrections. 40 CFR 63-National Emissions Standards for Hazardous Air Pollutants, Subpart GGGGG, Site Remediation: Revises specific provisions to resolve issues and questions, correct technical omissions, and correct typographical, cross-reference, and grammatical errors 40 CFR 96-NOx Budget Trading Program: EPA is making minor corrections to several subparts of the CAIR and the FIPs for the CAIR to clarify text that may potentially be misleading. This corrections rule does not change any of the CAIR or CAIR FIPs rule requirements or substantively change the rules in any way. 	
FL-2007-21	Endangered Species	03/26/2007	72 FR 14132	Notice of Document Availability	<p>Fish and Wildlife Service, Department of the Interior</p> <p>Notice of Availability of a Final Implementation Schedule for the South Florida Multi-Species Recovery Plan</p> <p>Implementation schedule for the South Florida MSRP is available. The MSRP describes actions that may be necessary for conservation of a particular species, establishes criteria for reclassification from endangered to threatened status or removal from the list, and estimates the time and cost for implementing the needed recovery measures. The implementation schedule prioritizes the recovery tasks as described in the MSRP on a community level, and identifies the associated participating parties, time frames, and costs necessary to accomplish those tasks.</p> <p>Copies of the final implementation schedule can be downloaded from http://verobeach.fws.gov or can be obtained by contacting the Fish and Wildlife Service, South Florida Ecological Services Office, 1339 20th Street, Vero Beach, Florida.</p>	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-22	Renewable Energy Technologies and Energy Efficiency	04/06/2007	FAW Notice #3962370	Notice Meeting/ Workshop	<p>Chapter 62–FDEP 16–Renewable Energy Technologies and Energy Efficiency</p> <p>A rule hearing will be held to consider the adoption of proposed new Rule Chapter 62-16, F.A.C., related to implementation of the Florida Renewable Energy Technologies and Energy Efficiency Act, Sections 377.801 through 806, F.S. The proposed rule would provide for grant application requirements and ranking, and administration of grant awards under the Renewable Energy Technologies Grants Program. It also would provide for the development of rebate applications and administer the issuance of rebates for the Solar Energy Systems Incentives Program. The proposed rule chapter also is intended to implement the provisions of the corporate tax incentives provided for renewable energy technologies pursuant to Section 220.192, F.S.</p> <p>The hearing is scheduled 04/17/2007 at 9:00 a.m.; to be held at the FDEP, Douglas Building, Conference Room A, 3900 Commonwealth Boulevard, Tallahassee, Florida.</p>	
FL-2007-23	Waste Management Contaminated Site Cleanup Criteria	03/30/2007	FAW Notice #3543912	Notice Workshop	<p>Chapter 62–FDEP 780–Contaminated Site Cleanup Criteria</p> <p>Workshops to provide training to the general public on RBCA in accordance with Chapter 62-780, F.A.C. Each 1½-day workshop will cover RBCA concepts from beginning to advanced in a format that shows the application of the rule to real-world situations. Course content is identical for both workshops.</p> <p>Workshops are scheduled 04/16/2007 from 1:00 p.m. to 5:00 p.m., through 04/17/2007 from 8:30 a.m. to 5:00 p.m.; to be held at Carr Building, 3800 Commonwealth Boulevard, Room 170, Tallahassee, Florida.</p> <p>Workshops are scheduled 04/25/2007 from 1:00 p.m. to 5:00 p.m., through 04/26/2007 from 8:30 a.m. to 5:00 p.m.; to be held at The Resort & Club at Little Harbor, 611 Destiny Drive, Ruskin, Florida.</p>	
FL-2007-24	Water Identification of Impaired Sources	03/30/2007	FAW Notice #3949081	Notice of Development of Rulemaking Workshop	<p>Chapter 62–FDEP 303–Identification of Impaired Surface Waters</p> <p>Workshop will address potential rule revisions to the assessment methodology for impairment due to elevated fecal coliform levels. Potential changes include how individual samples are assessed under the binomial method, how many exceedances of the monthly average criteria are needed to list waters as impaired, and how samples are assessed for representativeness.</p> <p>Workshop is scheduled on 05/01/2007 at 2:00 p.m.; to be held at FDEP, 2600 Blair Stone Road, Room 609, Tallahassee, Florida.</p>	

2.4 Hawaii State Regulatory Review

No items of interest were identified during this reporting period for Hawaii.

2.5 Louisiana State Regulatory Review

No items of interest were identified during this reporting period for Louisiana.

2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD-2007-04	Air Gasoline/ VOC Storage and Handling	03/30/2007	Volume 34 MR page 713	Notice of Proposed Action	Control of Gasoline and Volatile Organic Compound (VOC) Storage and Handling Proposal to amend Regulation 07 under COMAR 26.11.13 to add more stringent requirements to regulations governing fuel containers; the amendment will establish new performance standards, labeling, and testing requirements and expand the definition of portable fuel containers. Owners of portable fuel containers and/or spouts purchased before the 07/01/2007 implementation date are not required to purchase or replace the containers and/or spouts with newer compliant fuel containers. Comments are due by 05/01/2007 or may be submitted at the public hearing on 05/01/2007 at 10:00 a.m.	
MD-2007-05	Air VOCs from Consumer Products	03/30/2007	Volume 34 MR page 720	Notice of Proposed Action	Control of Emissions of Volatile Organic Compounds from Consumer Products Proposes to amend regulations under COMAR 26.11.32 by incorporating changes made by the CARB in July 2005. The amendments will directly affect manufacturers that produce regulated consumer products and persons that sell or supply consumer products. Products manufactured before the compliance date of 01/01/2009 will not be subject to the standards as long as the manufacture date is on the container or package. The proposed amendments will establish new concentration limits (as % VOC by weight) for: 1) 14 new categories; 2) one previously regulated category with a more restrictive VOC limit; and 3) two previously regulated categories with additional requirements. Comments are due by 05/01/2007 or may be submitted at the public hearing on 05/01/2007 at 10:00 a.m. Proposed action will limit the amount of VOC allowed in listed consumer products that currently may be used by Centers or programs.	GSFC and Programs with operations in Maryland should consider reviewing this proposal to assess potential impacts.

2.7 Mississippi State Regulatory Review

No items of interest were identified during this reporting period for Mississippi.

2.8 New Mexico State Regulatory Review

No items of interest were identified during this reporting period for New Mexico.

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH-2007-16	Air Air Quality Standard	03/28/2007	OAC Chapter 3745-113	Proposed Rule	<p>Proposed rules--"Architectural and Industrial Maintenance (AIM) Coatings"</p> <p>OEPA DAPC proposes new rules in OAC Chapter 3745-113, "Architectural and Industrial Maintenance (AIM) Coatings." AIM coatings are used to beautify and protect homes, office buildings, factories, pavements, curbs, and their appurtenances on a variety of surfaces including but not limited to metal, wood, plastic, and wallboard. These rules are intended to help Ohio attain and maintain the 8-hour NAAQS for ozone through the reduction of emissions of VOCs from these coatings. VOCs are a precursor to ozone. The rules specifically assist attainment of the standard in the 8 county Cleveland/ Akron metropolitan area, but also have additional benefits in the maintenance of the standard statewide. The rules are being proposed after a 30-day public comment period that closed on 12/11/2006. Several comments were received. Please see the Responsive Summary for OEPA's responses to the comments. See also the rule language, synopsis, and the public hearing notice for information about the rule changes. A public hearing will be held on 05/07/2007.</p> <p>Regulations on AIM coatings are intended to help Ohio attain and maintain the 8-hour NAAQS for ozone through VOC emission reduction from these coatings.</p>	
OH-2007-17	Air Permit to Install and Operate	03/29/2007	OAC Chapters 3745-31 and 3745-35 ; OAC rule 3745-15-03	Comment Period Extension	<p>OEPA DAPC Rulemaking--Draft Rule Language--Permit-To-Install and Operate Program</p> <p>OEPA, DAPC, is extending the draft rule language comment period for the new PTIO program. OEPA will now be accepting comments through 04/30/2007. OEPA, DAPC, proposes changes to the OAC related to implementation of the PTIO program. The PTIO program combines the current PTI and PTO programs. Please see the synopsis and interested party notice for additional information on the draft rule language.</p> <p>The PTIO program combines the PTI and PTO programs.</p>	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH-2007-18	Waste Hazardous Waste	04/05/2007	OAC Chapters 3745-50, 3745-51, 3745-52, 3745-53, 3745-54, 3745-55, 3745-57, 3745-65, 3745-66, 3745-67, 3746-68, 3745-256, 3745-266, 3745-270, 3745-273, 3745-279	Draft Rules	<p>Rules Open for Stakeholder Comment</p> <p>OEPA DHWM provided notice of a draft rule package, which contains 105 rules. Most of the rules are being amended to match their RCRA federal counterparts, which recently were amended. Also included are 31 hazardous waste management rules that must be reviewed every 5 years. The major subjects that OPEA is addressing include the following:</p> <ul style="list-style-type: none"> ▪ BIF/MACT/Combustors/NESHAPS: amendments provide for the coordination of the hazardous waste rules under RCRA with the rules managing hazardous air pollution under the CAA (Ohio's DAPC). The intent is to provide flexibility and reduce redundancy in permitting hazardous waste facilities that also are regulated under air permit requirements. ▪ Dyes and Pigments Production Wastes Listing: amendments include the listing of K181 production (manufacturing) wastes of certain dyes and pigments. ▪ Performance Track: amendments provide the opportunity for generators that consistently meet environmental performance requirements to be approved into the National Environmental Performance Track Program. Amended regulatory provisions for these facilities include an increased amount of time that a hazardous waste generator may accumulate waste without a permit (or interim status), and simplified (less stringent) reporting and record-keeping requirements. ▪ Manifest Rule: amendments standardize the content of the manifest used to track hazardous waste from generation to disposition. They improve the availability of the new form and adopt new procedures for tracking certain types of waste shipments with the manifest, including hazardous wastes that destination facilities reject, residues of non-empty containers, and wastes entering or leaving the U.S. Some of these provisions are not delegable to states, so the state rule requires compliance with the federal requirements. <p>Comments regarding these draft rules may be submitted by 04/27/2007. A more formal comment period and public hearing will begin once these draft rules are submitted to the Ohio JCARR.</p> <p>OEPA DHWM has drafted amendments to 105 rules related to hazardous waste. The majority of these rules are being amended to match their federal RCRA counterpart. These rules are in draft form. Once the draft rules are submitted to JCARR, a formal review process will be held.</p>	NASA facilities should consider reviewing for applicability.
OH-2007-19	Water Surface Water Quality Standards	03/29/2007	OAC Chapters 3745-1 and 3745-2	Public Notice	<p>Public Notice–Proposed Rulemaking Governing Surface Water Quality Standards</p> <p>OEPA DSW proposes to adopt OAC Chapter 3745-1 and 3745-2 rules. OAC Chapter 3745-1 addresses water quality standards for surface waters of the state. OAC Chapter 3745-2 addresses procedures for implementing water quality standards in wastewater discharge permit limits. The proposed revisions are housekeeping in nature and are not expected to have any impact on stakeholders. The more significant proposed revisions would update references cited in the rules, update the description of the classification scheme for carcinogens to reflect EPA's updated guidelines, and delete expired rule language. The proposed rule revisions are the same as the draft revisions made available for review and comment in December 2006. The public comment period runs through 05/04/2007. A public hearing is scheduled for 05/02/2007.</p> <p>These proposed rules address surface water quality standards and waste load allocation procedures.</p>	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH-2007-20	Water Water Quality Certifications- Section 401	03/30/2007	OAC Chapters 3745-1 and 3745-32	Public Notice	Public Notice–Notice of Draft Section 401 Certifications and Public Hearing OEPA DSW has developed Draft CWA Section 401 Certifications, for the Nationwide Permits published by the U.S. Army Corps of Engineers in the 12 March 12 2007 FR (72 FR11092). OEPA will hold a public information session and public hearing relative to the draft certifications and issues of lower water quality on 05/21/2007. T OEPA is accepting comments through 05/28/2007. The OEPA developed draft CWA Section 401 Certifications for the various Nationwide Permits published by the U.S. Army Corps of Engineers.	

2.10 Texas State Regulatory Reviews

No items of interest were identified during this reporting period for Texas.

2.11 Virginia State Regulatory Review

No items of interest were identified during this reporting period for Virginia.